

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JACK WAYNE FRIEND,

Petitioner,

v.

RON DAVIS, Warden, San Quentin State
Prison,

Respondent.

Case No. 15-cv-03514-HSG

DEATH PENALTY CASE

**ORDER CALLING FOR RESPONSE TO
PETITIONER'S MOTION TO DISMISS
FEDERAL HABEAS PROCEEDINGS**

The Court is in receipt of a pro se "Request for Appropriate Relief" from Petitioner that seeks to (1) remove as counsel the Federal Public Defender for the District of Arizona, (2) dismiss the current federal habeas proceeding, and (3) issue an order of execution "by any means available" within thirty days. This Court lacks the jurisdiction to issue a death warrant and such a request must be made to the Alameda County Superior Court. Currently, Petitioner's execution is stayed by Order of this Court.

Before the Court acts on Petitioner's motion, Petitioner's counsel and Respondent shall have the opportunity to respond. Any such response is due on or before April 17, 2017. All responses shall be served directly on Petitioner. Petitioner may file a reply no later than May 17, 2017.

The Clerk shall serve this Order directly on Petitioner.

IT IS SO ORDERED.

Dated: March 3, 2017


HAYWOOD S. GILLIAM, JR.
United States District Judge